

Proposed Strike everything amendment to HB 2432

13-3974. Exoneration of appearance bond

A. A surety ~~may~~ SHALL be relieved from liability on an appearance bond if the surety surrenders the defendant into the custody of the sheriff of the county in which the prosecution is pending ON OR BEFORE THE DAY AND TIME THE DEFENDANT IS ORDERED TO APPEAR IN COURT and the sheriff reports the surrender to the court.

B. EXCEPT AS PROVIDED IN SUBSECTION C OF THIS SECTION, UPON APPROVAL OF THE COURT A SURETY MAY BE RELIEVED FROM LIABILITY ON AN APPEARANCE BOND IF THE SURETY SURRENDERS THE DEFENDANT INTO THE CUSTODY OF THE SHERIFF OF THE COUNTY IN WHICH THE PROSECUTION IS PENDING WITHIN FORTY FIVE DAYS AFTER THE DEFENDANT'S FAILURE TO APPEAR AND THE SHERIFF REPORTS THE SURRENDER TO THE COURT.

C. IF THE SURETY SURRENDERS THE DEFENDANT TO THE SHERIFF AS PROVIDED IN SUBSECTION B OF THIS SECTION THE COURT MAY ORDER FORFEITURE OF UP TO 10 PERCENT OF THE APPEARANCE BOND OR ONE THOUSAND DOLLARS, WHICHEVER IS GREATER.

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